

BLOODY PILLOW INTRODUCED IN M'DANIEL TRIAL

Attorney Shows Crimson Spotted Head Rest Which He Says Wife Lay on as She Was Slain.

HATCHET KILLED HER, PHYSICIAN DECLARES

Children Could Not Be Awakened to Realize Mother's Fate, Asserts Detective—Hints They Might Have Been 'Doped.'

St. Joseph, Mo., Nov. 20.—Suddenly pulling from underneath the counsel table a bloodstained pillow, upon which the State alleges rested the head of Mrs. McDaniel, when she was murdered, the prosecution in the trial of Prosecutor Oscar D. McDaniel, charged with the murder of his wife, caused a sensation this afternoon.

The pillow, with great crimson splotches upon it, is one of the main exhibits. Its introduction raised to its feet the audience which filled the courtroom to almost overflowing, while groans and moans were heard. Sickened by the sight of it, women turned away their faces and buried them in handkerchiefs.

As though determined to drive home his sensation to the uttermost, with the pillow held in his hands before him, so that it, with its stains were a sickening sight, Prosecutor Lockwood brought forth this statement from Detective Henley, who was on the stand and who testified previously that bloodhounds could find no trail to an alleged burglar who, the defense will contend killed Mrs. McDaniel after robbing her hands of her jewels.

"Yes, sir, we found that pillow in the basement of the McDaniel home."

"Do you know what became of the bedclothes?"

"I only know what I heard, that they were burned," he testified.

McDaniel sat through the trial today like a man of steel. Even the introduction of the pillow did not disturb his apparently complete equilibrium. He was almost expressionless while experts corroborated the statements made on the witness stand Saturday that his wife had been "killed by a left-handed blow" and that he had opposed the inquest.

Never a muscle twitched nor an eyelash quivered as the accused County Prosecutor sat in the courtroom calmly facing witnesses testifying against him.

The defense is expected to attack bitterly the testimony to be given by Mrs. Luke H. Moss and Miss Aileen Moss, mother and sister of the murdered woman, and will declare "the mother and sister have purely personal reasonings for wishing now to convict McDaniel." The defense also will attack the personal character of Bart M. Lockwood, special prosecutor, it was stated today.

J. W. Henley, chief detective, corroborated testimony by other police officers regarding the condition of the basement window, through which a burglar is supposed to have entered. He said he noticed a small hole in the screen.

In the basement under the window, he testified, there were buckets that would have been disturbed had anyone entered that way, and that there was dust and cobwebs on the window sill.

Two hours after the murder he conferred with Oscar D. McDaniel, who told him he had been called from his home at about 11:15 o'clock on the errand to find his brother.

Henley said he and other detectives tried to get information about the call from the telephone central—the time it was made and the place the call was from—but were unable to learn anything at all about it.

Concerning McDaniel's automobile which he left in front of the garage door. He examined it and noticed a dent in the hood and the shattered windshield. He said there were no lamps on the machine lighted.

The screen from the basement window in the McDaniel home, which was cut, the motor car hood, containing alleged bullet marks and the dressing table chair in Mrs. McDaniel's room, which is said to contain blood marks, were introduced at this afternoon's session when Henley resumed his testimony.

Two or three days after the murder, Henley said, he met McDaniel, and the Prosecutor said to him: "You haven't found any trace of the murderer yet, have you?"

Henley told about the arrest of McDaniel. It was on a Sunday night. Detectives found him reading. They searched him and found a revolver. Henley said. He was given time to get his raincoat, but didn't bid his

children good-bye, Henley declared. The defense, it is declared, will declare McDaniel was given no time to get any articles of clothing or to say good-bye to his children. Henley testified that at no time did McDaniel give him any information or any help in the case.

At the outset of the resumption of the hearing today, with the courtroom even more crowded than on Saturday the State called Dr. A. D. McGlothlin, one of the physicians who assisted in the autopsy on the body of Mrs. McDaniel, after first having attempted to recall Dr. J. Wisser, the acting Coroner. Dr. Wisser was not in court.

Dr. McGlothlin testified that there was no evidence of any sort to show that Mrs. McDaniel's diamond rings were taken by a burglar or other intruder. They were missing when police arrived at the call of McDaniel.

He said there were no marks on the hand that bore the rings, such as would have been made by a robber who doubtless would do his work hurriedly.

They placed their chairs so that their backs would be turned directly to the members of McDaniel's family and the accused man himself. Saturday they faced them. Both Mrs. Moss and her daughter frequently display the emotion they suffer in the terrific strain of the trial.

"What in your judgment was Mrs. McDaniel struck with?" "I would say, judging from the appearance of the wounds, that she was hit with the hammer end of a heavy hatchet," the witness answered to the first question, on cross-examination by L. C. Gabbert of the defense. So far no weapon has been produced by the State.

Clyde Thrallkill, one of the police who answered the call to the McDaniel home, testified the call from the McDaniel home came at 12:15 o'clock the night Mrs. McDaniel was found slugged by her husband.

"When I entered the room where Mrs. McDaniel was we found her lying on the bed, where Oscar D. McDaniel had an pan of water and a cloth bathing her head."

"The washstand in the corner of the room was mussed up. There was a revolver on a chair directly under the phone in the room."

"Did you experience any trouble in awakening the children?"

"Yes, sir, we had a hard time, and only succeeded in getting them partly awake. They did not awake enough to realize what had happened to their mother," answered the policeman.

It was rumored immediately following the murder the children had been "doped."

In Lockwood's opening statement no allusion was made to it. On cross-examination of Policeman Thrallkill by Judge Strop, the revolver used by Oscar McDaniel in the duel with the "man behind the tree" was introduced by the defense and identified by the policeman as the one he saw on the chair.

IMOGENE VINYARD WILL WED TODAY

Popular Jackson Girl Will Become Bride of Robert Hoffmann at Caruthersville.

Robert Hoffmann and Miss Imogene Vinyard, both of Jackson, eluded their friends in the county seat yesterday and departed for Caruthersville, where they will be married today at the home of the bride's sister, Mrs. J. B. Luten, the wife of a prominent physician.

Miss Vinyard, who is a sister of Ben Vinyard of this city, and Mrs. George S. Summers, is one of Jackson's most charming society belles, and Mr. Hoffmann is connected with the Jackson Bottling works. They have been sweethearts for several years, and engaged for sometime. They kept the secret to themselves and the members of their immediate families until yesterday, when a report was circulated that they were planning to be married.

Mr. Hoffmann told a number of friends that the report was but a hoax, and Miss Vinyard likewise refused to make a confession. But at the time they were preparing to go to Caruthersville, where plans had been made for the wedding ceremony today.

Miss Vinyard and her sister, Mrs. Luten, of Caruthersville, made all of the arrangements for the wedding. Miss Vinyard has divided her time during the past month between her sister's home in Caruthersville and her parent's home in Jackson.

Miss Vinyard is a daughter of Dr. and Mrs. George W. Vinyard of Jackson, one of the best known families in the county. Mr. Hoffmann, likewise, is a member of a family that has been prominent for many years.

The couple have kept their plans only to themselves, and it could not be learned in Jackson yesterday where they expected to spend their honeymoon. They will go to housekeeping in the county seat upon their return.

3 WELL-KNOWN CAPE COUNTY MEN DIE IN ONE DAY

W. F. Baumann, H. P. Ahrens and E. W. Herzinger Succumb Within Few Hours.

PNEUMONIA IS FATAL TO CAPE CIGAR MAN

Gordonville Pioneer Passes Away After Brief Illness—Funeral Arrangements.

Three prominent Cape County men died within twenty-four hours of each other early Sunday morning and yesterday. All had lingered with illness, but the physicians of each had hoped that the three patients would recover. The trio were: W. F. Baumann, H. P. Ahrens and E. W. Herzinger, all natives of hot county and each well known over this section of the State.

William F. Baumann, a well-known cigar maker of the Cape, died yesterday morning about 3 o'clock, at the home of his sister, Mrs. Theodore Bauerle, at 227 South Pacific street. His death was due to a complication of diseases, Bright's disease and pneumonia being the direct cause.

The funeral will be Wednesday morning at 8:30 o'clock. There will be a requiem mass at St. Mary's Catholic Church, and later the body will be interred at the Old Catholic Cemetery.

The deceased leaves two sons, Albert 19, and Alvin 17. The latter is employed by the Cape Girardeau and Northern Railway Co. Albert is employed as a bookkeeper in St. Louis. The wife of Baumann preceded him to the grave 16 years ago. He never married again, but made his home with his two boys.

Mr. Baumann lived alone at 620 Merriweather street. When he became ill recently he was taken to the home of his sister, Mrs. Bauerle, who nursed him until his death.

About a year ago Baumann went to Armstrong Springs, Ark., to restore his failing health. He returned apparently well, but soon suffered a relapse. Dr. Paul Williams, the physician in attendance, diagnosed his case as pneumonia.

Mr. Baumann leaves a wide circle of friends. He was a member of the Cigar Maker's Union and was almost 47 years old.

Mr. Baumann was a native of the Cape, being born Jan. 28, 1879. His parents were Mr. and Mrs. Christian Baumann, who immigrated from Bavaria, Germany. He learned the cigar making trade when a young man and established his business shortly after attaining his majority. He was married to Miss Barenkamp, a daughter of Mr. and Mrs. Joseph Barenkamp, on May 20, 1897.

Besides the two sons Mr. Baumann leaves two brothers, Leo and Robert Baumann, who live in Belleville, Ill.; four sisters, Mrs. Theodore Bauerle, Mrs. Louise Messmer, Mrs. Alois Zimmer and Mrs. Josephine Schultz. Mrs. Messmer and Mrs. Schultz reside in St. Louis.

The funeral will be held Wednesday morning. The requiem mass will be celebrated by Rev. Father Priente of St. Mary's Catholic Church, whereupon the remains will be buried at the Old Catholic Cemetery.

After an illness of only ten days, Henry P. Ahrens, a pioneer of Gordonville, died yesterday morning at his home. His death was caused by stomach trouble and scirrhus of the liver. The deceased had been confined to his bed only ten days. He was 79 years old.

Mr. Ahrens had been in bad health for almost a year. Dr. E. R. Schoen was the attending physician.

The widow, one son, John H.; eleven grandchildren, and five great-grandchildren survive. The funeral will be held on Wednesday afternoon in Gordonville, from the German M. E. Church. Interment will be immediately thereafter in the Gordonville Cemetery. Rev. Ludwig, the pastor of the church will officiate and also preach the sermon.

The deceased was one of the best known residents of Cape County. He had been living in Gordonville since boyhood. He was one of the founders of the Gordonville Mercantile Co., and was the manager of the concern. He leaves besides his family a wide circle of friends.

Mr. Ahrens may be counted as one of the oldest residents of Cape County. He came here with his parents when a mere infant. They came from Germany and were among the first settlers of this part of the country. He passed his time on the parental farm till he attained the age of majority, when he was married to Miss Christine Mueller. This was about 1860.

He had only one son. His grandson, Henry Macke, was raised by him and looked after the store in the past

RUTH GLENN AND DR. RHODES PLAN TO DUPE FRIENDS

To Marry in Secret on Thanksgiving Day and Announce at Leming Affair.

SCHULZ-KNIGHT ISSUE WEDDING INVITATION

Doctor and Nurse, After Romantic Courtship, Will Wed Thanksgiving.

Plans for a surprise wedding announcement that Miss Ruth Glenn and Dr. E. D. Rhodes, her fiancé, had prepared to make, last night became known a few hours after invitations to the wedding of Dr. G. B. Schulz and Miss Alice Knight were received in the Cape.

Dr. Rhodes and Miss Knight will be married on Thanksgiving Day in St. Louis.

Dr. Rhodes and Miss Glenn also will be married on Thanksgiving Day, it became known, and announcement of their marriage the couple had planned to make at the wedding of Miss Rose Leming and Prof. Frank Kenyon, who will be married at Centenary Church Thanksgiving evening.

Miss Glenn, according to the plans that have been announced for the wedding of Miss Leming and Prof. Kenyon, is to be a member of Miss Leming's bridal party. Miss Glenn planned to be a member of the bridal party, but she and Dr. Rhodes were to be married earlier on Thanksgiving Day and secretly with but a few members of the couple's families present.

The announcement of their nuptials was to have been made then after the Leming wedding.

Dr. Rhodes has prepared an apartment on North Pacific street for his bride, and they will be at home there within a short time after their marriage.

The wedding of Miss Glenn and of Miss Leming are two social affairs that will attract much attention in the Cape. The wedding of Dr. Schulz and Miss Knight will be at Christ Church Episcopal Cathedral in St. Louis, at 5 o'clock in the afternoon.

The couple have been engaged to be married for several months and have endeavored to maintain their engagement a secret. On their return to the Cape they will reside in the new home that Dr. Schulz has purchased on the corner of Broadway and Frederick.

The place formerly was occupied by the Coerver family, and since he has acquired it, Dr. Schulz has had it remodeled inside and recently selected new furniture with which to furnish it throughout.

Miss Knight is a trained nurse and until recently was superintendent of nurses at St. John's Hospital in St. Louis.

She and Dr. Schulz met each other last spring when she was called to the Cape on a professional case. After a courtship lasting but a few weeks, the couple became engaged last spring and planned their marriage for the fall.

Dr. Schulz is one of the Cape best known surgeons. He is president of the Cape County Medical Association and has been a leader in civic affairs.

years, when the deceased was not able to do so.

Mrs. Otto Kiehne, wife of Prof. Kiehne of the Jackson High School, is a granddaughter of the deceased.

Everett W. Herzinger, who has been in the employ of Mrs. Harlan P. Pieronnet for the past eight years, passed away Sunday at his home on North Fountain street. Bright's disease was the cause of his death.

He had been suffering from this ailment for the past two years, but it was not until recently that he was compelled by the sickness to remain away from his post.

The funeral will be held this morning at 9 o'clock. After a short ceremony at the house the cortege will leave for the old Herzinger Cemetery, near Jackson. The funeral will be in charge of the Macabee Lodge, of which Mr. Herzinger was a member.

Mr. Herzinger was nearly 57 years old. He had been a resident of the Cape for the past eight years, and was in the employ of Mrs. Pieronnet during his stay here. He is survived by his widow and several grown children and one brother.

The deceased was born on the farm of his father which is located near Jackson. He preferred the life of the city to the farm and left his old home in 1908, coming to the Cape. His old home is on Byrd's Creek, seven miles west of Jackson.

The burial was arranged by Al Brinkhoff Furniture and Undertaking Co.

A. P. Behrens of the Cape is having repairing done on his property on First South street in this city.

PHARMACY BODY AND DR. VORBECK START A RUMPUS

State Commissioners Say He Must Let Them Examine Him—He Taboos the Idea

PHYSICIAN INSISTS HE WON'T BE QUIZZED

Examiners Play Hawkshaw Detectives, Then Tell Prosecuting Attorney on Doctor.

A contest between Dr. J. C. Vorbeck, the well-known Cape physician, and the State Board of Pharmacy, which has been in progress for several weeks, reached the second chapter stage yesterday.

The board says Dr. Vorbeck will have to take an examination before the board, if he expects to practice pharmacy. Dr. Vorbeck says the board is trying to amuse itself. As a physician he is permitted to fill his own prescriptions, and as he is not called upon to fill prescriptions written by other physicians, he doesn't believe he should take out the license.

"But I obtained a State license to practice pharmacy 16 years ago and kept it for eight years," said Dr. Vorbeck. "When I quit practicing pharmacy, I quit paying the annual license fee, which is one dollar a year. When I got ready to re-enter the business, I thought I would take out a license that I might accommodate some other physician. I sent the State Board the fee for permitting the license to lapse as well as the amount of the pharmacy license for eight years that I was not practicing. The board rejected this, saying that I would have to go to Jefferson City and take another examination. I could not see any excuse for this horse-play, and I just decided I would not take out the license at all."

Charles Gietner, president of the State Board, and R. A. Doyle, a member of the board, arrived in the Cape yesterday, determined to force Dr. Vorbeck to take the examination. Upon their arrival, they decided they would do a little bit of hawkshaw work. Going to the Vorbeck-Dohogne drug store on Good Hope street, they asked the clerk in the store to sell them a dime's worth of poison. The clerk declined.

Later they met Dr. Vorbeck and pleaded with him to take the examination. "Why you can't sell castor oil without our license," said the president of board. "A policeman can sell castor oil, if he wants to, and without your license," replied Dr. Vorbeck.

After Dr. Vorbeck had told the two State Board members that he wouldn't take an examination before the Queen of Sheba, the president said: "All right, then I'll have to see the prosecuting attorney."

They appeared before Mr. Caruthers yesterday afternoon and urged him to make Dr. Vorbeck behave. "Why, we can't do a thing with him," urged the two officials.

Prosecuting Attorney Caruthers last night told The Tribune that he would not decide what he would do until he had heard all of the facts.

It became known yesterday that several local men have attempted to assist the State Board. Several prescriptions have been sent to Dr. Vorbeck in an effort to determine whether he would fill them. While the law gives him the right to fill his own prescriptions, he cannot fill those written by other physicians, he announced yesterday.

"There are a couple of horse doctors who would like for me to walk into their traps, but I don't propose to do it," he said.

Gietner, when seen by a representative of The Tribune, declared that Dr. Vorbeck was practicing pharmacy against all drug laws of the State of Missouri. He had been so notified some time ago, but when he ignored the warning of the State Board, he took it upon himself to look into the matter, said Gietner.

According to Gietner, each drug store shall have at least one registered man. If an applicant has passed the examination before the State Board, he is given a certificate, that will be honored in all the States.

"This certificate will give the holder the right to compound drugs for use of the public. The license, of course, must be renewed every year, for which a tax of one dollar is paid," he said.

"Dr. Vorbeck has not complied with this clause of the drug laws and has so been notified," Gietner told The Tribune representative. "He has, however ignored the warning of the board. We do not propose to work any hardship on the doctor, but merely want him to comply with the law. He told us yesterday that he would not do so,

and therefore we must resort to the most rigid means."

Dr. Vorbeck was somewhat enraged over the matter. He declared that he did not have the slightest intention to bow to the demands of the State Board or any of its members.

"I shall take this matter to the highest court, if necessary. I shall test the legality and constitutionality of this law, which has a confiscatory clause in it. I shall solicit the aid of my colleagues who are in the same boat as I am in, and try to have this law amended."

"I passed the examination before the State Board of Pharmacy in 1901, and just for the reason that I have not practiced for a certain length of time and have not paid the tax, as the amended law provides, I shall be deprived of a right granted me under the State law."

"About the middle of August, I notified the State Board that I intended to open up a drug store. This notification was accompanied by a money order, to pay the taxes required of a druggist and also the penalty provided by this law for the failure to pay the annual tax. This order was rejected by the board, and thereupon I notified the board that I would continue to practice."

"The registered druggist is to pay an annual tax of one dollar for the privilege of practicing pharmacy, and this one dollar, so the members of the State Board are inclined to believe, that this payment will insure the public against incompetent men. As a matter of fact, an incompetent man would be permitted under the new law to inflict his incompetency upon the public upon payment of a dollar, and a competent man, who, for valid reasons, may not have paid this dollar for one year, shall be deprived of the right to practice pharmacy."

BARNEY KRAFT IS FIRE DEPT. CHIEF; RANSOM DROPPED

George D. French is Elected Assistant Chief by Council—Schultz Made Firman.

APPOINTMENTS ARE TO BE EFFECTIVE DEC. 1

City Council Decides to Open West End Boulevard Talley Trial Wednesday.

Barney G. Kraft was elected Chief of the fire department at the regular Council meeting last night and George D. French was made Assistant Chief. Martin Oberheide and Leo Schultz were elected members of the department, thereby eliminating C. B. Ransom, who has been a member of the department for several years.

The election of Kraft required three ballots. On the first two ballots he received four votes to three for French, who has also filed for the position as chief. On the third ballot one of the councilmen changed his vote, thereby giving Kraft the necessary majority.

Four ballots were necessary for the selection of Assistant Chief French. He was competing against five other applicants, namely, Frank Burford, Leo Bruening, Martin Oberheide, A. C. Moore and Garrett Wofford. The race was between Oberheide, Burford and French, the other three did not receive a vote. On the first three ballots French received four votes, Burford one and Oberheide two.

The count remained this way on the next two ballots. The final count was 5 for French, 1 for Oberheide and 1 for Burford. The selection of the other two members of the fire department did not cause any trouble. On the first ballot Oberheide was given six votes, Schultz 5 and Ransom 3.

The appointments become effective Dec. 1. After this day the new salary scale shall go into effect. The fire chief will be required to remain at the engine house just the same as the other members. His salary will be \$65 per month instead of \$150 per annum, as it has been up to this time. Al Dittlinger is the present chief.

On a motion made by Henry Brunke, the Street Committee will call on the School Board and ask the members to relieve the bad road conditions that now exist around the Washington School. It was suggested that a board sidewalk or some steps be laid up the hill so that the children living on South Fountain street and other streets near the school can reach this institution on a direct way.

During bad weather the children have to come north on Sprigg street until they reach North street; go west on North street to Frederick street, and turn into this street and then walk back on Fountain till they reach the school, which is located between Mills and Pearl streets. The laying of the proposed boardwalk would enable the

children to cross the hill instead of walking around it.

The parkkeeper will be instructed to keep the children off the roof of the pavilion in the park during all games played at the City Park. A motion to that effect was made by Councilman Bowman. He also made a motion to instruct City Counselor Kaehns to draw an ordinance for the opening of West End Boulevard.

On motion of Councilman Kaess, the C. G. & N. will be requested to repair the crossing on West End Boulevard. The railroad will be asked to lay planks between the tracks, so as to make the newly-constructed crossing passable for vehicles.

The council then adjourned until Wednesday night, when the case of Policeman Talley will be tried. He is charged with assault upon William Koehner.

COAL DEALERS SINGED BY NEW PRICE RECORD

F. W. Morrison Paying \$4 for Fuel to Fill \$3 Contracts, Made in Summer.

COAL NOW WORTH AS MUCH AS \$5.50 TON

Wholesale Dealers Join Mr. Ultimate Consumer in Being Plucked—May Take Slump.

The high price of coal has not only hit Mr. Ultimate Consumer where the chicken got the axe, but it has simply singed the men who buy coal by the wholesale and sell it to the private families.

F. W. Morrison, president of the Morrison Ice & Fuel Company, has suffered the greatest loss by the skyrocket advance of coal. He supplies a majority of the homes in this city with their winter fuel, and as has been his custom heretofore, he took orders for coal last summer to be delivered this autumn.

He agreed to let many of his customers have their winter's supply at \$3 per ton. But these contracts were made before the price of coal began to climb skyward. When the reports came that fuel had gone almost out of sight, there was a rush for the office of Mr. Morrison.

He assured his customers that he could take punishment, if he had to, and promised them that all of his contracts would be kept, regardless of the price he would have to pay to obtain the fuel.

He is now paying \$4 per ton, and as fast as he receives a car, he begins to distribute the fuel to his customers over the city at the rate of \$3 a ton, and he pays for the hauling, just as always did. He will continue to play the Good Samaritan until he has filled all of his early contracts.

If he were inclined to repudiate the agreements he made in the late summer, he could dispose of his coal at \$5 and \$5.50 per ton. When he made the agreement to furnish coal at \$3 a ton, he had been promised his supply of coal from the mine owners at a reasonable price. Since then, the mine owners with whom he contracted have failed to fill his order and he has been compelled to buy from other sources.

Coal has been sold at various local fuel offices for \$6 per ton during the past week. This unusual price is due to the fact that wholesale buyers have been unable to get any coal because of the car shortage, which has produced a crisis all over the country.

The Interstate Commerce Commission is holding a meeting at Louisville, Ky., to ascertain the cause for the car shortage. According to a dispatch from that city to The Tribune last night, the railroads of the country reported to the commission that 108,000 cars which in previous years had been used to supply cities and towns all over the country with coal and food products, are being used to carry export business to the East for shipment to the nations now at war.

Drastic measures will be resorted to by the railroads, the commission was told, to relieve the situation that now exists.

The railroads will increase the demurrage charges in order to speed up the return of cars to their base after they have been carried to their destination and emptied. It is known that freight cars, which have been shipped into the Cape during the past six weeks, have been permitted to stand on the tracks for days after they were emptied. It is said that this condition exists in all parts of the country. This neglect is held to be responsible, in a measure, for the car shortage. The railroads are responsible for the failure to return the empty cars. By increasing the demurrage rates they will speed up the movement of empty cars.

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